IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

RP.No. 740 of 2007(C)

AGAINST THE JUDGEMENT/ORDER IN WPC.4647/2007 Dated 28/02/2007

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REVIEW PETITIONER/RESPONDENTS 2, 3 AND 4 IN W.P.C

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1. KERALA STATE ROAD TRANSPORT CORPORATION
   REPRESENTED BY THE MANAGING DIRECTOR,
   OFFICE OF THE MANAGING DIRECTOR,
   KERALA STATE ROAD TRANSPORT CORPORATION,
   THIRUVANANTHAPURAM.

2. ASSISTANT PERSONAL OFFICER (PENSION)
   KERALA STATE ROAD TRANSPORT CORPORATION,
   THIRUVANANTHAPURAM.

3. DISTRICT TRANSPORT OFFICER,
   OFFICE OF THE DISTRICT TRANSPORT OFFICER,
   KERALA STATE ROAD TRANSPORT CORPORATION,
   THIRUVANANTHAPURAM.

BY ADV. SHRI.JOHNSON P.JOHN, SC, KSRTC

RESPONDENTS: PETITIONER AND IST REPSONDENTS IN W.P.C

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1. SRI. D. RETNAKARAN,
   SREEDEVI BHAVAN,
   KOTTAKKAKOM P.O.,
   ARYANAD, THIRUVANANTHAPURAM.

2. STATE OF KERALA
   REPRESENTED BY CHIEF SECRETARY,
   SECRETAIRAT, THIRUVANANTHAPURAM.

BY G.P.SRI.SHYSON P.MANGUZHA

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

R.P.NO.740/2007 IN W.P.(C) NO.4647 of 2007

Dated this the 8th day of August , 2007

O R D E R

Sri.Johnson .P.John, the learned Standing counsel for the KSRTC submits that the writ petitioner retired from service on 31.10.1997, therefore, he will not be eligible for the benefit of the judgment of this court in Idicula Abraham v. KSRTC (2005 (2) KLJ 602). My attention was drawn by the learned counsel to the judgment of the Division Bench in W.A.No.1085/2006 which related to the cases of the KSRTC's employee who retired on 30.9.1998. The Division Bench found that the benefit which is conferred under Idicula Abraham's case will be available only to those employees who retired or passed away on or after 13.4.1999. I find merit in his submission. I allow the Review Petition and recall the judgment.

Post the writ petition for hearing before the appropriate court.

PIUS C. KURIAKOSE,

JUDGE.

dpk